



150

1642/SPW  
Jmuya

Docket No.: 1752-0171PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kouji MATSUSHIMA et al.

Application No.: 10/531,580

Confirmation No.: 4955

Filed: April 18, 2005

Art Unit: 1642

For: AGENT FOR ELEVATING DENDRITIC CELL  
PRECURSOR LEVEL IN THE BLOOD

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT**  
**(SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL**  
**REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114**  
**RCE APPLICATION)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

II. COPIES

- a. Copies of cited U.S. patents and patent application publications are not included.  
Copies of foreign patent documents and non-patent literature are included.

b. Some or all of the documents listed on the PTO-SB08 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

c. REFERENCES PREVIOUSLY CITED OR SUBMITTED - Pursuant to 37 C.F.R. §1.98(d), consideration of information listed on the PTO-SB08 form(s) is requested since any patents, publications, or other information which are listed on the PTO-SB08 form(s) but for which copies are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Appl. No(s) and U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

a. DOCUMENTS IN THE ENGLISH LANGUAGE - The patents, publications, or other information listed on the attached PTO SB08 are in the English language and therefore, do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE - A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows: **An English abstract is attached for JP 2000-157285. English language translations are attached for (1) K. MATSUNO, IGAKU NO AYUMI, Progress of Medicine, Vol. 200, No. 6, pp. 132-136, 2002, (2) K. INABA, Saibou Kougaku, Cell Technology, Vol. 19, No. 9, pp. 1282-1286, 2000, (3) H. KAWAMOTO et al., Saibou Kougaku, Cell Technology, Vol. 19, No. 9, pp.1289-1293, 2000, (4) T. IYODA et al., Saibou Kougaku, Cell Technology, Vol. 19, No. 9, pp.1311-1377, 2000, (5) T. TAKAYAMA et al., Bushi Saibou Chiryoi, Molecular Cell Therapy, Vol. 2, No. 6, pp. 53-56, 2001, (6) H. NAKANO, Saibou Kougaku, Cell Technology, Vol. 19, No. 9, pp. 1304-1310, 2000, and (7) O. YOSIE et al., Chemokine Handbook, pp. 68-70, pp. 84-86, pp. 87-90, 2000. An English abstract is attached for T. HORIUHI et al., Risyou Ketueki, Jpn. J. Clin. Hematol., Vol. 44, No. 9, pp. 940-945, 2003.**

c. ENGLISH LANGUAGE SEARCH REPORT - An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. OTHER - The following additional information is provided for the Examiner's consideration.

IV. FEES (check one box)

a. This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

b. This Information Disclosure Statement is being filed concurrent with the filing of a continuation-in-part, continuation, or divisional patent application; therefore, no fee is required.

c. This Information Disclosure Statement is being filed within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (*This section is not to be used with RCE's.*)

d. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.

e. This Information Disclosure Statement is being filed concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

f. This Information Disclosure Statement is being filed before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account for the fee as required by 37 C.F.R. § 1.17(p).

g. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

No statement; therefore, a fee as required by 37 C.F.R. § 1.17(p) is attached.  
or

See the statement below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(e)

(check only one box)

The undersigned hereby states that:

a. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or

b. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

c. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign

application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VI. PAYMENT OF FEES (check one box)


- The required fee is listed on the attached Fee Transmittal.
- No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

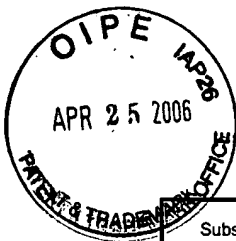
Dated: April 25, 2006

Respectfully submitted,

f By  #42874  
 Gerald M. Murphy, Jr.  
 Registration No.: 28,977  
 BIRCH, STEWART, KOLASCH & BIRCH, LLP  
 8110 Gatehouse Road  
 Suite 100 East  
 P.O. Box 747  
 Falls Church, Virginia 22040-0747  
 (703) 205-8000  
 Attorney for Applicant

Attachment(s):

- PTO-SB08
- Documents



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	10/531,580-Conf. #4955
		Filing Date	April 18, 2005
		First Named Inventor	Kouji MATSUSHIMA
		Art Unit	1642
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	1752-0171PUS1
Sheet	1	of	2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA*	US-5,616,688-A	04-01-1997	Cerami et al.	
	AB*	US-5,922,597-A	07-13-1999	Verfaillie et al.	
	AC*	US-5,925,568-A	07-20-1999	Comer et al.	
	AD*	US-6,046,309-A	04-20-2000	Cerami et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number-Kind Code <sup>5</sup> (if known)				
	BA	WO	01/54727-A1	08-02-2001			
	BB	JP	2000-157285-A	06-13-2000			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	K. Kuraoka et al., International Journal of Oncology, Vol. 23, pp.421-427, 2003	
	CB	Y. Zhang et al., Journal of the National Cancer Institute, Vol. 96, No. 3, pp. 201-209, 2004	
	CC	J. Banchereau et al., Nature, Vol. 392, pp. 245-252, 1998	
	CD	K. Inaba et al., J. Exp. Med., Vol. 176, pp. 1693-1702, 1992	
	CE	C. Caux et al., Blood, Vol. 90, No. 4, pp. 1458-1470, 1997	
	CF	Y. Zhang et al., Blood, Vol. 90, No. 12, pp. 4842-4853, 1997	
	CG	Y. Zhang et al., Blood, Vol. 92, No. 1, pp. 118-128, 1998	
	CH	Y. Zhang et al., Blood, Vol. 93, No. 4, pp.1208-1220, 1999	
	CI	Y. Zhang et al., Blood, Vol. 95, No. 1, pp. 138-146, 2000	
	CJ	D.N.J. Hart, Blood, Vol. 90, No. 9, pp. 3245-3287, 1997	
	CK	M.O'Keefe et al., Blood, Vol. 101, No. 4, pp.1453-1459, 2003	
	CL	N. Fujioka et al., Journal of Leukocyte Biology, Vol. 58, pp. 90-98, 1995	
	CM	H. Dong et al., Biochemical and Biophysical Research Communications, Vol. 298, pp.675-686, 2002	
	CN	JL Gao et al., The Journal of Experimental Medicine, Vol. 185, No. 11, pp.1959-1968, 1997	
	CO	M. Murai et al., Nature Immunology, Vol. 4, No. 2, pp. 154-160, 2003	
	CP	P. Menten et al., Cytokine & Growth Factor Reviews, Vol. 13, pp.455-481, 2002	
	CQ	C. Klein et al., J. Exp. Med., Vol. 191, No. 10, pp. 1699-1708, 2000	
	CR	F. Sallusto et al., Immunological Reviews, Vol. 177, pp. 134-140, 2000	
	CS	M. Ogata et al., Blood, Vol. 93, No. 10, pp. 3225-3232, 1999	
	CT	H. Yoneyama et al., J. Exp. Med., Vol. 195, No. 10, pp.1257-1266, 2002	
	CU	P. Allavena et al., Immunological Reviews, Vol. 177, pp. 141-149, 2002	
	CV	S. Sozzani et al., Journal of Clinical Immunolgy, Vol. 20, No. 3, pp.151-160, 2000	

Examiner Signature	Date Considered
--------------------	-----------------



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO		<b>Complete if Known</b>	
		Application Number	10/531,580-Conf. #4955
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Filing Date	April 18, 2005
		First Named Inventor	Kouji MATSUSHIMA
		Art Unit	1642
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	1752-0171PUS1
Sheet	2	of	2
<i>(Use as many sheets as necessary)</i>			

	CW	S. Zoffmann et al., J. Med. Chem., Vol. 44, pp. 215-222, 2001	
	CX	H. Nomiyama et al., International Immunology, Vol. 13, No. 8, pp.1021-1029, 2001	
	CY	C. Weber et al., Blood, Vol. 97, No. 4, pp.1144-1146, 2001	
	CZ	S. Ali et al., The Journal of Biological Chemistry, Vol. 275, No. 16, pp. 11721-11727, 2000	
	CA1	R.M. Steinman et al., The Journal of Clinical Investigation, Vol. 109, No. 12, pp.1519-1526, 2002	
	CB1	M. Gilliet et al., J. Exp. Med., Vol. 195, No. 7, pp.953-958, 2002	
	CC1	G.M. del Hoyo et al., Nature, Vol. 415, pp. 1043-1047, 2002	
	CD1	K. Matsuno, Igaku No Ayumi, Progress of Medicine, Vol. 200, No. 6, pp. 132-136, 2002, with English Language Translation	
	CE1	K. Inaba, Saibou Kougaku, Cell Technology, Vol. 19, No. 9, pp. 1282-1286, 2000, with English Language Translation	
	CF1	H. Kawamoto et al., Saibou Kougaku, Cell Technology, Vol. 19, No. 9, pp. 1289-1293, 2000, with English Language Translation	
	CG1	T. Iyoda et al., Saibou Kougaku, Cell Technology, Vol. 19, No. 9, pp. 1311-1377, 2000, with English Language Translation	
	CH1	T. Takayama et al., Bushi Saibou Chiryou/ Molecular Cell Therapy, Vol. 2, No. 6, pp. 53-56, 2001, with English Language Translation	
	CI1	H. Nakano, Saibou Kougaku/ Cell Technolgy, Vol. 19, No. 9, pp.1304-1310, 2000, with English Language Translation	
	CJ1	O. Yosie et al., Chemokine Handbook, pp.68-70, pp.84-86, pp.87-90, 2000, with English Language Translation	
	CK1	T. Horiuhi et al., Risyou Ketueki, Jpn. J. Clin. Hematol., Vol. 44, No. 9, pp. 940-945, 2003, with English Abstract	
	CL1	C. Caux et al., Dendritic cells in Fundamental and Clinical Immunology, Vol. 3, Adv. Exp. Med. Biol., Vol. 417, pp. 21-25, 1997	
	CM1	Yoshimoto et al., Jpn. J. Cancer Res., Vol. 77, pp. 1264-1270, 1986	
	CN1	S. Gazzaniga et al., The Journal of Investigative Dermatology, Vol. 116, No. 5, pp. 664-671, 2001	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--